

CONDITIONAL USE PERMIT

FOR THE OPERATION OF A PETROLEUM STORAGE FACILITY

CASE #CU-105-14

WHEREAS, the City Council of the City of Commerce City, Colorado finds that a conditional use permit for the operation of a petroleum storage facility (“Conditional Use Permit”) should be granted pursuant to the Land Development Code of the City of Commerce City in Case #CU-105-14 for that property described in exhibit “A” attached hereto and made a part hereof, located at 8581 E. 96th Avenue, Commerce City, Colorado; and

WHEREAS, the City of Commerce City believes that this Conditional Use Permit is only appropriate if certain conditions are met; and

WHEREAS, the City of Commerce City desires to set to writing the conditions of the Conditional Use Permit.

NOW THEREFORE, the Conditional Use Permit applied for in Case #CU-105-14 is granted by the City of Commerce City subject to the following conditions:

CONDITIONS:

- A. The applicant shall remain compliant with all standards regulating their operations.
- B. The applicant shall provide any updates to the Emergency Response and Management Manual to the City with 30 days of a change.
- C. This Conditional Use Permit approves the bulk storage of petroleum products. Any change in either of the following shall require an amendment to this Conditional Use Permit:
 - i. The storage of any other product that requires a Conditional Use Permit as identified in the Land Development Code as it may be amended.
 - ii. The bulk storage of any product at this property that is in excess of the minimum quantities allowed by right in the Land Development Code.

Failure to comply with the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Conditional Use Permit authorized for the above-described property, it being expressly determined by the City Council that the Conditional Use Permit granted by the City of Commerce City in Case #CU-105-14 is not proper in the absence of compliance with the conditions herein contained. In the alternative, the City may proceed with legal action for injunctive relief to enforce the conditions herein imposed or issue a summons and complaint in the Commerce City municipal court for violation of the aforesaid conditions, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the condition set forth in this Conditional Use Permit, the municipal court may impose any penalty authorized by the Land Development Code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

IN WITNESS WHEREOF, the undersigned have set their hands effective the 7TH day of July, 2014.

CITY OF COMMERCE CITY, COLORADO

By: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, City Clerk

Exhibit "A"
LEGAL DESCRIPTION
Case #CU-105-14

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ADAMS, STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

LOT 1,
BLOCK 1,
FIRST ADDITION TO BRIGHTON STATION,
COUNTY OF ADAMS,
STATE OF COLORADO.

PARCEL B

LOT 1,
BRIGHTON STATION,
COUNTY OF ADAMS,
STATE OF COLORADO.